

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**INTERMEC IP CORP., a Delaware
corporation,**

Plaintiff,

C.A. No. 06-411-GMS

v.

**ALIEN TECHNOLOGY CORP., a
Delaware corporation,**

Defendant.

**ALIEN TECHNOLOGY CORPORATION'S MOTION TO DISMISS OR STAY,
OR, IN THE ALTERNATIVE, TRANSFER THE CLAIMS ALLEGED IN PLAINTIFF'S
FIRST AMENDED COMPLAINT**

Defendant Alien Technology Corporation ("Alien"), hereby moves this Court to dismiss this action or to stay it in favor of the previously filed action pending in the United States District Court for the District of North Dakota ("District of North Dakota"). Alternatively, Alien moves to transfer this action to the District of North Dakota. The grounds for this motion are stated in Alien's opening brief which is being filed with this motion.



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Dated: January 23, 2007

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CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2007, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following and which has also been served as noted:

BY HAND DELIVERY

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I hereby certify that on January 23, 2007, I have caused the foregoing to be sent by Federal Express to the following non-registered participants:

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